

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HAKKASAN LV, LLC, a Nevada limited liability company, HAKKASAN LIMITED, a foreign private limited company,

Plaintiff,

v.

EZ LEASE PROPERTY MANAGEMENT, LLC, also known as EZ LEASE PROPERTYS, a Nevada limited liability company,

Defendant.

Case No. 2:14-cv-0798-APG-GWF

ORDER STRIKING DEFENDANT'S FILINGS

(Dkt. ## 27, 28, 29, 30)

Defendant filed a Motion to Set Aside Default and Default Judgment and Writ, a Request for Evidentiary Hearing and/or Discovery Regarding Service, and a Motion for Stay of Execution of Judgment. (Dkt. ##27, 28 and 29.) Plaintiffs moved to strike those filings because Defendant, a business entity, improperly filed them in proper person rather than by a lawyer. (Dkt. #30.)

Corporations must be represented by licensed counsel when they appear in federal court. *Rowland v. California Men's, Unit II Advisory Council*, 506 U.S. 194, 202 (1993); *see also United States v. High Country Broad. Co.*, 3 F.3d 1244 (9th Cir. 1993). "As the courts have recognized, the rationale for that rule applies equally to all artificial entities." *Rowland*, 506 U.S. at 202. The Ninth Circuit has not yet addressed whether this rule applies to limited liability companies, but those circuits that have addressed the issue have concluded that it does. *See United States v. Hagerman*, 545 F.3d 579 (7th Cir. 2008); *Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007)(internal citation omitted)("Because both a partnership and a corporation must appear through licensed counsel, and because a limited liability company is a hybrid of the partnership and corporate forms . . . , a limited liability company also may appear in federal court only through a licensed attorney.").

Courts in this federal district have followed *Rowland's* direction that all artificial entities, including LLCs, must be represented by counsel. *See, e.g., Neumont Univ., LLC v. Little Bizzy*,

1 *LLC*, No. 2:12-CV-1395-JAD-PAL, 2014 WL 2112938, at *2 (D. Nev. May 20, 2014); *Donovan*
2 *v. Flamingo Palms Villas, LLC*, 2011 WL 1046836 (D.Nev. 2011); *Wang v. County of Nye*, 2010
3 WL 4553448 (D. Nev. 2010). I agree with *Rowland's* rationale and see no reason to differ.

4 IT IS HEREBY ORDERED that Defendant's motion (Dkt. ##27, 28, 29) is **STRICKEN**
5 as improperly filed in proper person.

6 Dated: December 31, 2014.

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8 ANDREW P. GORDON
9 UNITED STATES DISTRICT JUDGE
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